



STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, New Jersey 07102

Customer Assistance

Brown and Brown Metro, Inc.,

Petitioner,

v.

Verizon New Jersey Inc.

Respondent.

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)  
)  
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ORDER ADOPTING  
INITIAL DECISION

BPU Docket No. TC05040332U  
OAL Docket No. PUC 7399-05

(SERVICE LIST ATTACHED)

BY THE BOARD:

On April 5, 2005, Brown and Brown Metro, Inc. (Petitioner) filed a petition with the Board of Public Utilities (Board) for a hearing in regard to a billing dispute with Verizon New Jersey Inc. (Respondent).

On June 22, 2005, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Thomas E. Clancy.

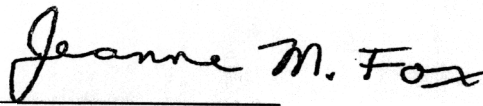
During the pendency of this matter at the OAL, the parties engaged in negotiations and reached a settlement. The settlement was submitted to the ALJ for review. On January 10, 2006, ALJ Clancy filed an Initial Decision with the Board, memorializing the terms of the settlement and recommending that it be approved. The ALJ found the settlement to be voluntary, consistent with the law and fully dispositive of all issues in controversy. The ALJ therefore concluded that the settlement met the requirements of N.J.A.C. 1:1-19.1.

Under the terms of the settlement, Petitioners agreed to pay Verizon New Jersey Inc. the amount of \$5,115.90 in resolution of this matter.


After review, the Board FINDS that the terms of the settlement are fair and reasonable. Therefore, the Board HEREBY ADOPTS the Initial Decision and Stipulation of Settlement in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

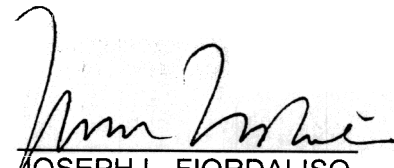
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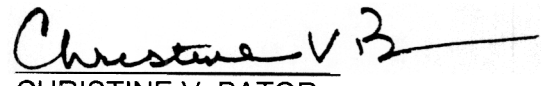
BOARD OF PUBLIC UTILITIES  
BY:

  
\_\_\_\_\_  
JEANNE M. FOX  
PRESIDENT

  
\_\_\_\_\_  
FREDERICK F. BUTLER  
COMMISSIONER

  
\_\_\_\_\_  
CONNIE O. HUGHES  
COMMISSIONER

  
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JOSEPH L. FIORDALISO  
COMMISSIONER

  
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CHRISTINE V. BATOR  
COMMISSIONER

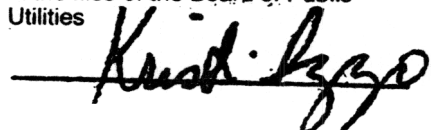
ATTEST:

  
\_\_\_\_\_  
KRISTI IZZO  
SECRETARY

- 2 -

BPU Docket No. TC05040332U  
OAL Dkt. No. PUC 7399-05

I HEREBY CERTIFY that the within  
document is a true copy of the original  
in the files of the Board of Public  
Utilities

  
\_\_\_\_\_  
KRISTI IZZO

Brown and Brown Metro, Inc. v. Verizon New Jersey Inc.

BPU Docket No. TC05040332U  
OAL Dkt. No. PUC 7399-05

**SERVICE LIST**

Richard Guidice, Jr.  
Satterlee Stephens Burke & Burke LLP  
230 Park Avenue  
New York, NY 10169-0079

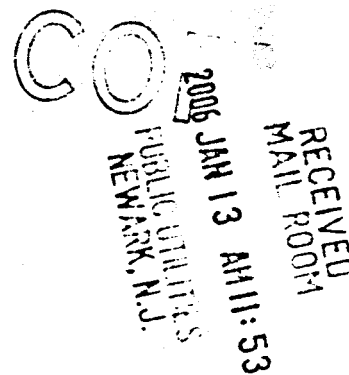
Richard Chapkis, Esq.  
Verizon New Jersey Inc.  
540 Broad Street Floor 20  
Newark, NJ 07102

Kent Papsun, Director  
Division of Customer Assistance  
Board of Public Utilities  
Two Gateway Center  
Newark, NJ 07102

Jeff Slutzky, Esq.  
Division of Law  
124 Halsey St. - 5th Floor  
Newark, NJ 07102



State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW



CMS  
BESLOW  
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HILEXIO, N  
STARK (2)

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 07399-05

AGENCY DKT. NO. TC05040332U

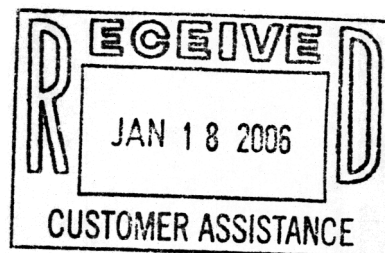
**BROWN AND BROWN METRO, INC.,**

Petitioner,

v.

**VERIZON NEW JERSEY INC.,**

Respondent.



**Richard Guidice, Jr. Esq.,** for petitioner (Satterlee, Stephens, Burke & Burke, LLP, attorney)

**Richard A. Chapkis, Esq.,** for respondent

Record Closed: January 6, 2005

Decided: January 10, 2006

**BEFORE THOMAS E. CLANCY, ALAJ:**

This matter was transmitted to the Office of Administrative Law (OAL) on June 28, 2005, for resolution as a contested case pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F1 to -13.

During the pendency of the case at the Office of Administrative Law, the parties settled their differences as provided in the attached letter dated January 6, 2006.

Having reviewed the contents of the attached letter dated January 6, 2006  
**FIND:** (a) that they are consistent with the law, (b) that they fully dispose of all issues in controversy, and (c) that they were voluntarily entered into by the parties.

Accordingly, **CONCLUDE** that the attached letter dated January 6, 2006, meets the requirements of *N.J.A.C. 1:1-19.1(d)* and hereby **APPROVE** same.

hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with *N.J.S.A. 52:14B-10*.

1-10-06  
DATE

\_\_\_\_\_  
DATE

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DATE  
da

Thomas E. Clancy  
THOMAS E. CLANCY, ALAJ

Receipt Acknowledged:

[Signature]  
BOARD OF PUBLIC UTILITIES

Mailed to Parties:

\_\_\_\_\_  
OFFICE OF ADMINISTRATIVE LAW

SATTERLEE STEPHENS BURKE & BURKE LLP

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(908) 277-2221

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www.ssbb.com

E-Mail: rguidice@ssbb.com  
Direct Dial: (212) 404-8724

January 6, 2006

**By Federal Express**

Honorable Thomas Clancy  
Office of Administrative Law  
33 Washington Street  
Newark, NJ 07102-3011

JAN 8 2006  
33 WASHINGTON STREET  
NEWARK, NJ 07102

Re: Brown & Brown Metro, Inc. v. Verizon New Jersey Inc.  
BPU Docket No. TC05040332U; OAL Docket No. PUCC 07399-2005N

Dear Judge Clancy:

This firm represents Brown & Brown Metro, Inc. ("Brown & Brown") with respect to the above matter. I write to confirm that Brown & Brown has agreed with Verizon New Jersey Inc. ("Verizon") to settle this matter for the amount of \$5,115.90 (the "Settlement Amount"), that Brown & Brown has paid Verizon the Settlement Amount, and that Verizon has indicated that Brown & Brown's account with Verizon is settled with a current balance of zero dollars. Accordingly, Brown & Brown withdraws its request for a hearing on this matter.

Should you have any questions, please do not hesitate to contact me at (212) 404-8724.

Respectfully submitted,



Richard Guidice Jr.

RJG:rjg

cc: Richard A. Chapkis, Esq., Verizon (*via first-class mail*)

COPY



State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW  
33 Washington Street  
Newark, New Jersey 07102  
(973) 648-6008

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MAIL ROOM  
2006 JAN 13 AM  
PUBLIC UTILITIES  
NEWARK, N.J.

NORTH

Date: JAN 11 2006

Re: Initial Decisions for Receipt

Receipt of the following decisions from the Office of Administrative Law (as well as a copy of this form) is acknowledged as of the date indicated below:

OAL Docket No. PUC

7399-05

Case Name

Brown & Brown  
METRO, INC.

Board of Public Utilities

2 Gateway Center

Newark, New Jersey 07102

Date: 1/1

  
Board of Public Utilities